

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 03-20032-BC
Case Number 05-20038-BC
Honorable David M. Lawson

LEWIS ALEXANDER PELTIER,

Defendant.

ORDER TO SHOW CAUSE

On May 25, 2006, attorney J. Courtney Smith (also known as Jerold C. Smith) filed an appearance on behalf of the defendant in this case, having been retained by the defendant and substituting for a previous attorney appointed under the Criminal Justice Act. Simultaneously, attorney Smith filed a motion requesting an adjournment of the final pretrial conference, plea cut-off and trial dates for thirty days to allow him time to prepare for trial. The government did not oppose the requested adjournment, and on June 7, 2006 the Court granted defendant's motion. An order issued rescheduling the final pretrial conference and plea cut-off date for August 1, 2006, at 3:30 p.m. Notice of the adjourned date was sent to the parties on June 7, 2006 through the Court's Case Management and Electronic Case Filing system and the United States Postal Service.

Attorney Smith failed to appear in Court on the adjourned date and time for the final pre-trial conference. The Court's case manager attempted to contact defense counsel and was unable to reach him or any of his office staff. She left a voice mail message for counsel. No explanation has been forthcoming.

Accordingly, it is **ORDERED** that the defendant's attorney, J. Courtney Smith (also known as Jerold C. Smith) appear before this Court on **August 15, 2006 at 8:30 a.m.** to show cause, if any

there be, why the Court should not be held in contempt or other action taken against him for his failure to appear at the scheduled final pretrial conference as ordered by the Court.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: August 2, 2006

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 2, 2006.

s/Tracy A. Jacobs
TRACY A. JACOBS